

REMARKS

Applicant graciously appreciates the Office's attention to the instant application. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. This amendment is
5 believed to be fully responsive to all issues raised in the February 17, 2005 Office Action.

As explained above, claims 1, 9 and 18 are currently amended and claims 8 and 19 are canceled. Claims 1-7, 9-18 and 20-25 are thus currently pending.

10 In this Response, Applicant does not acquiesce to the rejection and reserves the right to continue prosecution of claims in a divisional or continuation application of the instant application.

In the Claims

15 Claim Rejections Under 35 USC §103(a)

Claims 23-25

In the Office Action dated February 17, 2005, the Office rejected claims 23-25 under 35 USC §103(a) as being obvious over anticipated by US Pat. No. 6,378,307 to Fledersbacher et al. ("Fledersbacher reference") in view of US Pat.
20 No. 5,584,174 to Bates et al. ("Bates reference"). Applicant submits that this rejection is in error because the Bates reference does not disclose a compressor but rather a turbine.

Claim 23 recites, in part,

*means for controlling the flow of air within the compressor housing
wherein the compressor housing comprises a single common air inlet
that is in air flow communication with respective compressor impellers
5 whereby air entering the air inlet is bifurcated and directed by the
compressor housing to one compressor impeller from a first direction
and to the other compressor impeller from a second substantially
opposing direction.*

The Office states: "Bates teaches that it is conventional in the turbocharged
10 internal combustion engine art, to utilize the compressor housing comprising a
single common air inlet (50) that is in air flow communication with respective
impellers (52, 54)" (OA 2/17/05 at page 6). Applicant respectfully disagrees
with this characterization of the evidence, in particular, items 50, 52 and 54.

According to the Bates reference:

15 Exhaust gases from the gasifier turbine 18 are diverted into two flow
paths by a Y-shaped diverter 50. The exhaust gases spin two turbine
blades 52, 54. Col. 3, lines 59-62; and
Exhaust gases entering through the diverter 50 are directed into flow
paths 56, 58. The flow paths 56, 58 receive an approximately equal
20 amount of exhaust gas from the diverter 50. Gases from flow path 56
enter turbine blade 52 radially at the largest diameter of the turbine

blade 52. The entering exhaust gases are at a high pressure and temperature. Col. 4, lines 2-8.

Thus, (i) the Bates reference does not disclose a compressor housing per claim 23; and (ii) the Bates reference does not disclose flow *to one compressor impeller from a first direction and to the other compressor impeller from a second substantially opposing direction* per claim 23; instead, the Bates reference discloses flow to two turbines 52, 54 from the diverter 50 to paths 56, 58 whereby the flow approaches the turbines 52, 54 from the same radial side of the power turbine 26. For at least these reasons, Applicant submits that the rejection of claim 23-25 is not supported by substantial evidence and that one of ordinary skill in the art would not find the subject matter of claim 23 obvious over the Fledersbacher reference in view of the Bates reference. Applicant requests reconsideration and allowance of claim 23-25.

Objected To Subject Matter: Claims 8, 9 and 19

In the Office Action dated February 17, 2005, the Office indicated that claims 8, 9 and 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant currently amends claim 1 to include the subject matter of claim 8 and cancels claim 8. Applicant currently amends claim 18 to include the subject matter of claim 19 and cancels claim 19.

Allowed Subject Matter: Claims 10-17 and 20-22

Applicant sincerely appreciates the Office's attention to and allowance of claims 10-17 and 20-22.

5 Conclusion

Claims 1-7, 9-18 and 20-25 are pending and believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact
10 the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

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